

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

THOMAS UNGER

PLAINTIFF

V.

NO. 4:22-CV-76-DMB-DAS

**W.C.R.C.F.; SHERIFF MELTON M.
GASTON; and LT. DAVIS**

DEFENDANTS

ORDER

On or about May 23, 2022, Thomas Unger filed a pro se complaint challenging the conditions of his confinement pursuant to 42 U.S.C. § 1983. Doc. #1. On May 24, 2022, an order was issued and mailed to Unger advising him, among other things, that “if he desires to continue with this case he must sign the Acknowledgment (Form PSP-3), and return it to the Clerk of Court within thirty (30) days.” Doc. #4 at 1. The order further warned Unger that his “failure to return one or the other of the forms within thirty (30) days will be deemed as a purposeful delay and contumacious act by [him] and may result in this case being dismissed *sua sponte*, without prejudice, without further written notice.” *Id.* at 2. Because Unger failed to return the requisite form despite such warning, United States Magistrate Judge David A. Sanders issued an order on July 5, 2022, directing Unger “to show cause within fourteen (14) days … why his case should not be involuntarily dismissed as provided by Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to obey an order of the court.” Doc. #5. Because Unger failed to respond to the Court’s show cause order and the time to do so has now passed, this case is **DISMISSED without prejudice** for Unger’s failure to prosecute and failure to obey a Court order.

SO ORDERED, this 26th day of July, 2022.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE